

The House Committee on Public Utilities and Telecommunications offers the following substitute to HB 1060:

A BILL TO BE ENTITLED

AN ACT

To amend Chapter 5 of Title 46 of the Official Code of Georgia Annotated, relating to telephone and telegraph service, so as to enact the "Wireless Communications Security Act"; to define a certain term; to provide that any vendor of prepaid wireless communication service shall require identification from any person seeking to purchase more than ten units of prepaid wireless communication devices; to provide for certain records; to provide for certain notifications; to provide an effective date; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

**SECTION 1.**

Chapter 5 of Title 46 of the Official Code of Georgia Annotated, relating to telephone and telegraph service, is amended by inserting at the end thereof the following:

**"ARTICLE 6**

**46-5-200.**

This article shall be known and may be cited as the "Wireless Communications Security Act."

**46-5-201.**

As used in this article, the term 'prepaid wireless communication device' means a wireless telephone, memory card, or other device by which a person may obtain wireless service which, except for the provisions of this article, is incapable of being linked to the name and personal information of the customer.

46-5-202.

(a) Any person who markets or sells prepaid wireless communication devices shall not sell more than ten such devices to any person without obtaining valid identification from such person. Valid identification shall include the following documents:

(1) A driver's license which was properly issued by the appropriate agency of a state or the District of Columbia;

(2) A valid identification card issued by a branch, department, agency, or entity of the State of Georgia, any other state, or the United States authorized by law to issue personal identification, provided that such identification card contains a photograph of the person;

(3) A valid United States passport;

(4) A valid employee identification card containing a photograph of the person and issued by any branch, department, agency, or entity of the United States government;

(5) A valid United States military identification card, provided that such identification card contains a photograph of the person; or

(6) A valid tribal identification card containing a photograph of the person.

(b) Any marketer or seller of prepaid wireless communication devices shall keep a record of each sale subject to subsection (a) of this Code section, including, at a minimum, the date and location of the transaction, the number of devices sold, the model and serial numbers of the devices, the form of information provided, and personal information of the purchaser including, without limitation, his or her name, gender, age, and address. If the purchaser is a corporation or partnership, such information shall be obtained from a corporate officer or partner, and the name and registered address of the corporation or partnership shall be noted. The records required by this subsection shall be maintained for not less than three years.

(c) The provisions of subsection (a) of this Code section shall only apply to cash transactions.

46-5-203.

Each marketer or seller of prepaid wireless communication devices shall provide a copy of the records required by subsection (b) of Code Section 46-5-202 to the Georgia Bureau of Investigation in such manner as required by the Georgia Bureau of Investigation by rule or regulation."

## SECTION 2.

This Act shall become effective upon its approval by the Governor or upon its becoming law without such approval.

- 1 **SECTION 3.**
- 2 All laws and parts of laws in conflict with this Act are repealed.